

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,

Plaintiff(s),

vs.

TAPESTRY AT TOWN CENTER  
HOMEOWNERS ASSOCIATION, et al.,

Defendant(s).

Case No. 2:16-cv-00255-JCM-NJK

ORDER

Pending before the Court is the parties' joint proposed discovery plan. Docket No. 13. Local Rule 26-1(e)(1) establishes 180 days, measured from the date the first defendant answers or otherwise appears, as a presumptively reasonable time to complete discovery. Where more than 180 days of discovery are sought, the proposed discovery plan must state on its face, "SPECIAL SCHEDULING REVIEW REQUESTED" and provide an explanation as to why the parties believe additional time is required. Local Rule 26-1(d).

Here, the parties request special scheduling review and explain why they believe additional time is required. Docket No. 13 at 2. The primary reason provided by the parties for exceeding the presumptively reasonable discovery period is that counsel are all litigating many similar lawsuits. *See id.* That is not good reason to extend the discovery period. *See, e.g., Nationstar Mortgage LLC v. Aurora Canyon Homeowners Association*, Case No. 2:15-cv-1308-MMD-NJK (D. Nev. Aug. 21, 2015) (Docket No. 26) (citing *Greene v. Alhambra Hosp. Med. Ctr.*, 2015 U.S. Dist. Lexis 72697, \*3 (D. Nev. June 3, 2015)).

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1 The parties next rely on the fact that two defendants have yet to appear. Docket No. 13 at 2. Local  
2 Rule 26-1(e)(1), however, measures the discovery period from “the date the first defendant answers or  
3 appears[.]” Late appearances, therefore, are not incorporated into the measurement of the discovery period.

4 The last reason the parties provide is that the key witnesses are involved in hundreds of cases and have  
5 limited availability. Docket No. 13 at 2. The Court has previously rejected this reason for a longer discovery  
6 period. *See, e.g., First Horizon Home Loans v. Day Dawn Crossing Homeowners Association*, Case No.  
7 2:15-cv-1262-JAD-NJK (D. Nev. Sept. 17, 2015) (Docket No. 19)

8 Accordingly, the proposed discovery plan is hereby **DENIED** without prejudice. The parties shall file,  
9 no later than April 26, 2016, an amended joint proposed discovery plan submitted in compliance with Local  
10 Rule 26-1(e)(1).

11 IT IS SO ORDERED.

12 DATED: April 19, 2016

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15 NANCY J. KOPPE  
16 United States Magistrate Judge  
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